

REMARKS

Claims 1 and 5 with respect to SEQ ID NO:8 are currently under consideration.

Claim 5 has been canceled.

Claim 1 has been amended to more clearly define the Applicants' invention.

Claims 1 and 5 are rejected variously over 35 USC § 112.

No new matter has been added.

Applicants gratefully acknowledge the examiner's consideration of the Information Disclosure Statement filed 1/7/02.

Claim Rejections – 35 USC § 112

Claims 1 and 5 are rejected under 35 USC § 112, second paragraph for indefiniteness and lack of written description.

Claim 5 is canceled.

The rejection of Claim 1 under 35 USC § 112 second paragraph is for the lack of a period. The claim has been amended to overcome this rejection.


Double Patenting

Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 31 of commonly owned co-pending USSN 10/061,071. This is a provisional rejection as the alleged conflicting claims have not in fact been patented.

Applicants submit that, in view of the present amendments to the claims the application is in condition for allowance. As the only remaining rejection in this application is the provisional obviousness-type double patenting rejection, applicants respectfully request that this rejection be withdrawn and that the application be permitted to issue (see MPEP 822.01)

Should there be any fee due in connection with the filing of this Amendment please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



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